

**REMARKS**

The applicants note with appreciation the acknowledgement of the claim for priority under section 119 and the notice that all of the certified copies of the priority documents have been received.

The applicants acknowledge and appreciate receiving a copy of form PTO-1449, on which the examiner has initialed two of the three listed items. The third listed item, the journal article of Shimokawa et al., was not initialed. It appears that the omission of the examiner's initials was an oversight. In a separate paper, the applicants are submitting a new copy of the form PTO-1449 and requesting that the examiner consider the journal article of Shimokawa et al.

Claims 1-3 and 8 are pending. Claims 4-7 have been canceled. The applicants respectfully request reconsideration and allowance of this application in view of the above amendments and the following remarks.

Claims 1-3 were rejected under 35 USC 103(a) as being unpatentable over Japanese patent 2000120738 in view of Japanese patent 9112606. The applicants respectfully request that this rejection be withdrawn for the following reasons.

Claim 1 has been amended to include the subject matter of claims 4 and 5. Thus, claim 1 now recites a slit that is 1mm or more in width. Neither Japanese patent 2000120738 nor Japanese patent 9112606 discloses or suggests a slit having such a dimension. Therefore, the applicants believe that claims 1 and its dependents are patentably distinguished from the combination of the Japanese patents.

Claims 4-8 were rejected under 35 USC 103(a) as being unpatentable over Japanese patent 2000120738 in view of Japanese patent 9112606 and further in view of the patent to Itsuaki. Claims 4-7 have been canceled and will not be discussed. As for claim 8, the applicants respectfully request that this rejection be withdrawn for the following reasons.

Claim 8 recites, among other things, a slit, the width of which is 1mm or more. As mentioned above with respect to claim 1, neither Japanese patent 2000120738 nor Japanese patent 9112606 discloses or suggests a slit having such a dimension. This feature permits abraded brake material to be discharged from the brake pad, as mentioned on page 6, lines 3-9 of the specification. Thus, the recited dimension of the slit has unexpected results and would not have been obvious to one of ordinary skill in the art. Therefore, the applicants believe that claim 8 is patentably distinguished from the combination of the Japanese references.

In view of the forgoing, the applicants respectfully submit that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

Please charge any unforeseen fees that may be due to Deposit Account No. 50-1147.

Respectfully submitted,

  
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